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is intended to narrow the scope of any of the amended Claims within the meaning of *Festo*<sup>1</sup>.

**CLEAN VERSION OF REPLACEMENT PARAGRAPHS IN THE SPECIFICATION  
PURSUANT TO 37 C.F.R. §1.121(b) AND OF REWRITTEN, ADDED, AND/OR  
CANCELLED CLAIMS PURSUANT TO 37 C.F.R. §1.121 (c)(1)(i)**

**IN THE TITLE:**

In the Title, please replace the current title with the title indicated below:

*Bacillus subtilis* with an Inactivated Cysteine Protease-1

Please replace the pending Claims with the following Claims having the same numbers:

6. (Thrice Amended) The *Bacillus subtilis* of Claim 1, wherein said *Bacillus subtilis* is capable of expressing a heterologous protein.

7. (Twice Amended) The *Bacillus subtilis* of Claim 6, wherein said heterologous protein is selected from the group consisting of hormones, enzymes, growth factors, and cytokines.

8. (Amended) The *Bacillus subtilis* of Claim 7 wherein said heterologous protein is an enzyme.

9. (Twice Amended) The *Bacillus subtilis* of Claim 8 wherein said enzyme is selected from the group consisting of proteases, carbohydrases, lipases, isomerases, racemases, epimerases, tautomerases, mutases, transferases, kinases and phosphatases.

13. (Five Times Amended) A method for the production of a heterologous protein in a transformed *Bacillus subtilis* host cell comprising the steps of:

(a) obtaining a *Bacillus subtilis* host cell comprising a nucleic acid encoding said heterologous protein wherein said host cell contains a mutation or deletion

<sup>1</sup> *Festo Corp. v. Shoketsu Kogyo Kabushiki Co.*, No. 95-1066, 2000 WL 1753646 (Fed. Cir. Nov. 29, 2000).

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in the gene encoding *B. subtilis* cysteine protease 1, wherein said gene encoding cysteine protease 1 encodes the amino acid sequence set forth in SEQ ID NO:2, and said *B. subtilis* cysteine protease 1 is inactive; and  
(b) growing said *Bacillus subtilis* host cell under conditions suitable for the expression of said heterologous protein.

15. (Twice Amended) The method of Claim 13 wherein said *Bacillus subtilis* host cell further comprises a mutation or deletion in at least one of the genes encoding at least one protease selected from the group consisting of apr protease, npr protease, epr protease, wpr protease and mpr protease.

20. (Twice Amended) The method of Claim 13, wherein said gene encoding cysteine protease 1 comprises the nucleic acid sequence set forth in SEQ ID NO:1.